

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2009-105379-001 DT

07/09/2009

HONORABLE JOHN R. HANNAH JR

CLERK OF THE COURT

D. Sanchez

Deputy

STATE OF ARIZONA

MARK L BARRY

v.

STEVEN DIAZ JR. (001)

DOB: 09/29/1988

ANTONIO R ZUNIGA

APO-SENTENCE IMPRISON-CCC

APPEALS-CCC

AZ DOC

DISPOSITION CLERK-CSC

VICTIM SERVICES DIV-CA-CCC

SENTENCE OF IMPRISONMENT

8:49 a.m.

State's Attorney: Mark L. Barry

Defendant's Attorney: Antonio R. Zuniga

Defendant: Present

Court Reporter: Gail Ferguson

LET THE RECORD REFELCT Yolanda Garcia Vasquez and Valarie Brooks each addresses the Court.

Count(s) 1: WAIVER OF TRIAL: The Defendant knowingly, intelligently and voluntarily waived all pertinent constitutional and appellate rights and entered a plea of guilty.

IT IS THE JUDGMENT of the Court Defendant is guilty of the following:

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2009-105379-001 DT

07/09/2009

OFFENSE: Count 1 (as amended): Manslaughter
Class 2 Felony
A.R.S. § 13-1101, 1103, 701, 702, 704(A), 801
Date of Offense: 01/18/2009
Dangerous pursuant to A.R.S. § 13-604 - Non Repetitive

AS PUNISHMENT, IT IS ORDERED Defendant is sentenced to a term of imprisonment and is committed to the Arizona Department of Corrections as follows:

Count 1: 12 year(s) from 07/09/2009
Presentence Incarceration Credit: 172 day(s)

Slightly Aggravated

Community Supervision: Count 1 - Imposed pursuant to A.R.S. § 13-603(I).

IT IS FURTHER ORDERED that Defendant must submit to DNA testing for law enforcement identification purposes and pay the applicable fee for the cost of that testing in accordance with A.R.S. § 13-610.

IT IS ORDERED granting the Motion To Dismiss the following: Count 2.

IT IS ORDERED authorizing the Sheriff of Maricopa County to deliver the Defendant to the Arizona Department of Corrections to carry out the term of imprisonment set forth herein.

IT IS ORDERED the Clerk of the Superior Court remit to the Arizona Department of Corrections a copy of this Order or the Order of Confinement together with all presentence reports, probation violation reports, and medical and psychological reports that are not sealed in this cause relating to the Defendant.

IT IS ORDERED the Court shall retain jurisdiction over the matter of restitution for a period of 120 days. Defendant waives his presence at any restitution hearing set.

IT IS ORDERED Defendant to forfeit the weapon (38 caliber Smith & Wesson) to the State.

9:02 a.m. Matter concludes.

This case is eFiling eligible: <http://www.clerkofcourt.maricopa.gov/efiling/default.asp>

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2009-105379-001 DT

07/09/2009

ISSUED: Order of Confinement - Certified Copy to DOC via MCSO

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2009-105379-001 DT

07/09/2009

Defendant's thumbprint is permanently affixed to this sentencing order in open court.

/s/ HONORABLE JOHN R. HANNAH JR
JUDGE OF THE SUPERIOR COURT

(thumbprint)